

REMARKS

Reexamination and reconsideration is respectfully requested in light of the foregoing amendments to claims 8, 10 and 52 and the following remarks.

Claims 4-6, 8-10 and 52 are pending in this application. Claims 1-3, 7 and 11-39 have been canceled by previous amendments. It is noted that the Examiner has withdrawn the allowance of claims 4-6, 8-10 and 52 in view of new rejections under 35 U.S.C. § 112. Applicant has amended claims 8 and 52 as set forth below to overcome the new rejections. Claim 10 has been amended to change “charter” to --character--. See page 21, lines 16-18 of the specification for support for this amendment.

Rejection Under 35 U.S.C. § 112, First Paragraph

Claims 4-6, 8-10 and 52 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. The Examiner has asserted two grounds for the rejection.

First, the Examiner asserts that “the drawing and the original specification clearly describe that a control panel 240 is within a remote controller 204 which is separated from a receiver 203 ... [and] that “the control panel (204) is not a part of the receiver (203).” Claim 52 has been amended to add new lines 4 and 5 to recite that the remote controller comprises a control panel having a display device.

The second ground asserted by the Examiner is that the limitations in claim 52 appear to indicate that “there are two different remote controllers in claimed the broadcast system.” Claim 52 has been amended to specify a single remote controller and that the remote controller is part of the peripheral device. See new lines 4 and 5 as well as line 13 in amended claim 52. In

addition, the Examiner stated in the Office Action that “nowhere in the specification [does it indicate] that both a peripheral device and a remote controller exist in the system to perform operations as recited in claim 52” (underscoring for emphasis). Applicant takes exception to this statement. The specification at page 52, line 7 states that the “operations of the peripheral devices may be performed singly or in combination.” These peripheral devices include an illumination device, an air conditioner, a sound generator and a toy device as well as the remote controller. Therefore, the peripheral device and remote controller are not separate and distinct components. Claim 52 has been amended to clarify this point.

For all of the foregoing reasons, it believed that the amendments to claim 52 overcome the rejection under the first paragraph of 35 U.S.C. § 112. Accordingly, it is respectfully requested that the rejection be reconsidered and withdrawn.

Rejection Under 35 U.S.C. § 112, Second Paragraph

Claims 4-6, 8-10 and 52 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. According to the Examiner, there is no antecedent basis for the limitation of “said display” in line 20. The claim has been amended in line 5 to recite that the remote controller comprises “a control panel having a display device.” The Examiner also stated that claim 8 was indefinite because there was no antecedent basis for “said switching.” The term “switching” has been amended to “switching signal”. The term “switching signal” can be found in line 11 of amended claim 52. Finally, claim 4 was objected to as being indefinite because of the Examiner’s conclusion that claim 52 recites two remote controllers. As noted *supra*, the claim has been amended make it clear that there is only one remote controller.

Application No. 09/839,231

For all of the foregoing reasons, it is believed that the rejection of the claims under 35 U.S.C. § 112, second paragraph is overcome. Accordingly, it is respectfully requested that the rejection be reconsidered and withdrawn.

Conclusion

It is submitted that claims 4-6, 8-10 and 52 satisfy the requirements of the first and second paragraphs of 35 U.S.C. § 112. Accordingly, favorable reconsideration of the claims is requested in light of the preceding amendments and remarks. Allowance of the claims is courteously solicited.

If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, Examiner is requested to call Applicant's attorney at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due under 37 C.F.R. § 1.17 and due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,
McDERMOTT WILL & EMERY LLP



Cameron K. Weiffenbach
Registration No. 44,488

600 13th Street, N.W.
Washington, DC 20005-3096
Phone: 202.756.8000 CKW:ckw
Facsimile: 202.756.8087
Date: February 16, 2007

**Please recognize our Customer No. 20277
as our correspondence address.**